

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. § 1.111, and in light of the remarks which follow, are respectfully requested.

Claims 6 and 12 have been amended to incorporate the subject matter of original claim 11. In addition, claims 1-5, 11, 13 and 16 have been canceled without prejudice or disclaimer.

Upon entry of the Amendment, claims 6-10, 12, 14, 15, 17 and 18 will be all the claims pending in the application.

I. Response to Rejection under 35 U.S.C. § 102(e)

Claims 1-10 and 12-18 were rejected under 35 U.S.C. § 102(e) as being anticipated by WO 02/083795 to Fujiwara et al.

Applicants respectfully submit that the rejection of claims 1-5, 13 and 16 is moot because claims 1-5, 13 and 16 have been canceled. Further, Applicants respectfully submit that the rejection of claims 6-10, 12, 14, 15, 17 and 18 are novel over WO '795. As noted above, Applicants have amended claims 6 and 12 to incorporate the subject matter of claim 11, which is not included in this rejection. In addition, claims 7-10, 14, 15, 17 and 18 depend from respective claims 6 and 12, directly or indirectly. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection.

II. Response to Rejection under 35 U.S.C. § 103(a)

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over WO '795 in view of US 20020107301 to Yamanouchi et al.

Claim 11 depended from claim 6 and has been incorporated into claim 6. Applicants respectfully submit that claim 6 is patentable over the cited references for at least the following reasons.

Applicants submit herewith a verified English translation of Applicants' priority document, i.e., JP 2002-234819, to antedate WO '795. Specifically, JP '819 was filed on August 12, 2002, prior to the October 24, 2002 publication date of WO '795. Moreover, Applicants submit herewith a Statement Under 35 U.S.C. §103(c), which states that at the time the claimed invention was made, the claimed invention and WO 02/083795 were owned by or subject to an obligation of assignment to the same person. Therefore, WO '795 is not proper §102(e) prior art in this §103(a) rejection.

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejection.

III. Conclusion

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (202) 452-7932 at his earliest convenience.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: June 19, 2007

By: 

Fang Liu, Ph.D.

Registration No. 51283



Patent
Docket No. 1019519-000454

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP AMENDMENT
Yoshiharu YABUKI et al.)	
Application No.: 10/524,557)	Group Art Unit: 2853
Filed: February 14, 2005)	Examiner: Manish S. SHAH
For: INK FOR INKJET RECORDING, INK)	Confirmation No.: 9111
SET FOR INKJET RECORDING AND)	
INKJET RECORDING METHOD)	

STATEMENT UNDER 35 U.S.C. § 103(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

I, the undersigned, hereby submit that the claimed invention and WO 02/083795 were, at the time the invention was made, owned by or subject to an obligation of assignment to Fuji Photo Film Co., Ltd., now FujiFilm Corporation.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: June 19, 2007

By: 
Fang Liu, Ph.D.
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